



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES May 10, 2022 - 7:00 PM City Council Chambers 400 East Military, Fremont NE

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the Regular Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Legband, Jensen, Gibson and Vaughan present. 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the May 10, 2022 Regular Meeting. Motion made by Gibson, Seconded by Vaughan to adopt current agenda for the May 10, 2022 Regular Meeting. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2022-074 authorizing a change to the Future Land Use Map from Commercial to Industrial on property generally located 850 feet north of 32nd Street and 1,500 feet south of County Road T on the west side of Yager Road. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Legband to approve Resolution 2022-074. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
3. Ordinance 5616 approving a Change of Zone from R, Rural to LI, Light Industrial. generally located 850 feet north of 32nd Street and 1,500 feet south of County Road T on the west side of Yager Road (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Ganem to introduce and hold first reading of Ordinance 5616. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Legband to suspend the rules and

move to final reading of the Ordinance. Voting Yea: Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Ganem, Yerger. Motion failed.

4. Resolution 2022-075 authorizing a Conditional Use Permit for a self-storage facility generally located 850 feet north of 32nd Street and 1,500 feet south of County Road T on the west side of Yager Road. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Ellis to continue the item. Voting Yea: Ellis, Jensen, Sookram, Yerger Voting Nay: Ganem, Gibson, Legband, Vaughan. Motion fails. Motion made by Legband, Seconded by Gibson to approve Resolution 2022-075. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan. Motion carried. Voting Nay: Ellis, Yerger.
5. Ordinance 5617 to approve requested a Change of Zone from PD, Planned Development to SC, Suburban Commercial on property generally located at the southeast corner of Morningside Road and Lauren Lane (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Jensen to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan. Voting Nay: Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Vaughan, Seconded by Jensen to suspend the rules and move to final reading of the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Ordinance 5617 is approved.
6. Resolution 2022-076 to approve Conditional Use Permit for a Small Animal Veterinary Clinic on behalf of Lori Marcum on property generally located at 1044 W. 23rd St. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Ellis to amend the 2nd whereas statement to indicate consistency with 502.03 of the Unified Development Code to provide that there will be no dog run or noise requirements per code and be validated upon permit. Voting Yea: Ellis, Jensen, Yerger Voting Nay: Ganem, Gibson, Legband, Sookram, Vaughan. Motion fails. Motion made by Jensen, Seconded by Gibson to approve Resolution 2022-076. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
7. Ordinance 5618 amending Section 11-614.02 to allow chain link fence up to the property line in a front yard (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Ellis to amend paragraph E, subparagraph 1, subparagraph d. i to say that the Planning Commission may recommend to council that a special exemption may be allowed to put chain link fence in the front yard. Voting Yea: Ellis, Ganem, Yerger Voting Nay: Gibson, Jensen, Legband, Sookram, Vaughan. Motion fails. Motion made by Gibson, Seconded by Vaughan to introduce and hold first reading of Ordinance 5618. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Yerger. Motion carried. City Clerk provided first reading of the Ordinance.
8. Resolution 2022-077 recommending approval of Class CK liquor license application of Tricia Dorfmeier dba Bourbon Trail, 408 N. Main St Suite C, Fremont, NE. Mayor

Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Gibson to approve Resolution 2022-077. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Yerger, Seconded by Jensen to approve consent agenda item 9-14, 16, 18 and 19. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

9. Motion to approve April 27, 2022 through May 10, 2022 claims and authorize checks to be drawn on the proper accounts
10. Receive Report of the Treasury
11. Dispense with and approve April 26, 2022 Regular City Council Meeting Minutes and Special Joint City Council Meeting Minutes for April 19, 2022
12. Motion to authorize Mayor to sign Deeds of Reconveyance for 1345 E. 6th Street and 1330 N. Platte for completing CDBG Loan requirements
13. Resolution 2022-078 providing recommendation for Liquor License Manager at Kwik Shop #645 located at 710 N. Broad Street
14. Resolution 2022-079 providing recommendation for Liquor License Manager at The LA Fire Proof Door Co. located at 325 N. Main Street
15. Motion to approve Mayoral appointment to Library Board. Motion made by Vaughan, Seconded by Ganem approve Mayoral appointment of Ryan Fiala to Library Board. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
16. Motion to approve Mayoral appointments to the Planning Commission
17. Resolution 2022-080 to approve entering into agreement with the Northeast Nebraska Economic Development District for General Administration of Community Development Block Grant 10-ED-009. Motion made by Jensen, Seconded by Legband to approve Resolution 2022-080. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
18. Motion authorizing Special Designated License Local Recommendation form for Rodeo by John C. Fremont Days, Inc.
19. Tax Increment Financing Annual Report to Council
20. Council Member Ellis item - Resolution 2022-182 authorizing agreement for street and parking closure for Fremont's Spring Fling. Motion made by Gibson, Seconded by Sookram to approve Resolution 2022-182. Voting Yea: Ganem, Gibson, Jensen, Legband,

Sookram, Vaughan, Yerger Voting Abstaining: Ellis. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

21. Councilmember Ellis item - Ordinance 5611 amending Chapter 10 Article 2 of the Fremont Municipal Code to include the regulation of Street Vendors (final reading). Motion made by Ellis, Seconded by Ganem to amend section 10-218 to remove chair and umbrella language. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Jensen, Seconded by Vaughan to hold final reading of Ordinance 5611. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5611 is approved.
22. Resolution 2022-050 authorizing amendment to interlocal to extend agreement five years with the Village of Cedar Bluffs for satellite keno operations. Motion made by Ganem, Seconded by Gibson to approve Resolution 2022-050. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
23. Resolution 2022-051 authorizing amendment to interlocal to extend agreement five years with the Village of Kennard for satellite keno operations. Motion made by Sookram, Seconded by Legband to approve Resolution 2022-051. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
24. Ordinance 5615 amending Chapter 5 Article 4 of the Fremont Municipal Code Sections 5-406 Parking; business district, hours prohibited, and 5-421 Parking; public parking lots (second reading). Motion made by Yerger, Seconded by Ganem to receive alternate Ordinance language into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Council Member Yerger moved to adopt the provided language as an amendment for second reading. The motion failed due to lack of a second. Motion made by Jensen, Seconded by Ganem to continue the item. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

NEW BUSINESS: Requires individual associated action

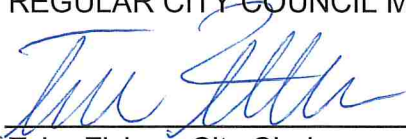
25. Resolution 2022-070 authorizing Mayor to sign contract for Clarkson Street Asphalt Overlay. Motion made by Yerger, Seconded by Legband to approve Resolution 2022-070. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
26. Resolution 2022-071 authorizing Mayor to sign contract for West 16th Street Asphalt Overlay, Motion made by Yerger, Seconded by Vaughan to approve Resolution 2022-071. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
27. Motion to approve Recommend Future Land Use Map Changes for Inclusion in Draft Comprehensive Plan. Motion made by Yerger, Seconded by Jensen to receive Recommend Future Land Use Map Changes into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Jensen, Seconded by Legband to receive into the record a handout of pictures

from Ron Vlach. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Ganem that the Council provides preliminary consensus for changes to the current land use maps so they can be utilized as the consultants develop and draft revisions to the City's Comprehensive Plan. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Yerger Voting Nay: Vaughan. Motion carried.

28. Resolution 2022-081 authorizing the Mayor to sign Cash Rent Farm Lease agreement with Marlin Brabec for approximately 5.65 acres northeast of the N. Luther Rd. and Jack Sutton Dr. intersection. Motion made by Legband, Seconded by Vaughan to approve Resolution 2022-081. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Yerger. Motion carried.

ADJOURNMENT Motion made by Jensen, seconded by Gibson to adjourn; time: 9:44 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Jensen, Gibson. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA REGULAR CITY COUNCIL MEETING MINUTES FOR MAY 10, 2022.



Tyler Ficken, City Clerk



Joey Spellerberg, Mayor